

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

ORDER

JOHN PALAZZOLO,

03-CR-1382 (NGG)

Defendant.

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GARAUFIS, District Judge.

Defendant John Palazzolo asks this Court to direct the United States Bureau of Prisons to use Defendant's last pre-sentence report for classification and other purposes and to release Defendant from administrative segregation.

On April 28, 2006, Defendant pled guilty to one count of 18 U.S.C. § 1959(a)(5). When Defendant appeared for sentencing on October 13, 2006, the Probation Department had yet to complete the pre-sentence report. The Government and the Defendant, in open court, waived the preparation of a pre-sentence report. The court sentenced Defendant to 120 months imprisonment.

Because (1) no pre-sentence report was prepared for Defendant in the instant case and (2) Defendant had a pre-sentence report prepared in July, 1996 in connection with a prior case, the Bureau of Prisons is hereby ordered to use the 1996 pre-sentence report in conjunction with the Judgment of Conviction entered in the above-captioned case in order to classify Defendant. The court also requests that the Bureau of Prisons expeditiously process Defendant.

The court is familiar with Defendant's medical and dental condition and requests the Bureau of Prisons to promptly evaluate Defendant's medical and dental condition, and develop

and implement a course of treatment to address Defendant's condition.

The United States Attorney is directed to provide the Bureau of Prisons and the facility in which Defendant is currently located with a copy of this Order forthwith.

SO ORDERED.

Dated: April 20, 2007
Brooklyn, N.Y.

/SIGNED/

NICHOLAS G. GARAUFIS
United States District Judge